

**MINUTES OF THE COMMON COUNCIL  
WORK SESSION  
April 26, 2011  
City Council Chambers – Rouss City Hall**

**PRESENT:** President Jeff Buettner; Councilor Evan Clark, John Tagnesi, Les Veach and John Willingham; Vice-President Art Major; Vice-Mayor Milt McInturff; Mayor Elizabeth Minor (8)  
**ABSENT:** Councilor John Hill (1)

President Buettner called the meeting to order at 6:00 p.m.

**Items for Discussion:**

**Presentation:** Economic Development Authority – Jim Deskins & Ron Mislowsky

Ron Mislowsky, Chairman of the Economic Development Authority, presented the annual report for the EDA including accomplishments and projects over the past year.

Jim Deskins, Director of Economic Development, presented a brief summary on specific projects, the tools used, and the impacts they created on jobs. He also presented the information on several proposed projects for FY12 totaling a \$37.7 million investment and 384 jobs.

**Presentation:** Citizen Satisfaction Survey - Josh Didawick

Josh Didawick, Interim Administration Director, stated the discussion is a follow up to a directive given at the retreat in January to conduct a citizen's satisfaction survey. Staff has received quotes from several companies and will move forward with ETC Institute again. The survey will be mailed to the citizens instead of doing an internet survey.

Councilor Veach suggested asking questions to see what the citizens would like to see from the IT Department regarding items such as online bill pay.

**Voter Ward Redistricting** – Tim Youmans & Joyce Braithwaite

Tim Youmans, Planning Director, stated he was present to answer any questions from the redistricting proposal presented at the last meeting.

Vice-President Major moved to nominate Harry Smith, Walter "Skeeter" Knee, and Bill Shendow to work on the redistricting committee. *The motion was seconded by Councilor Veatch then unanimously approved by voice-vote.*

Vice-President Major also recommended the meetings be advertised to get public comment.

**O-2011-12:** FY11 Supplemental Appropriations – Mary Blowe

Mary Blowe, Finance Director, presented the supplemental appropriations for FY11.

Vice-President Major moved to forward O-2011-12 to Council. *The motion was seconded by Councilor Willingham then unanimously approved by voice-vote.*

**R-2011-19:** FY12 Budget – Mary Blowe

Ms. Blowe presented the FY12 Budget and stated the only changes made were to the 599 funding and the outside agency funding. Three new requests were removed to fund training in the Police Department.

Mayor Minor moved to forward the ordinance to Council. *The motion was seconded by Vice-President Major then unanimously approved by voice-vote.*

**R-2011-16:** Refund to Summit Community Bank for Overpaid Bank Franchise Taxes – Ann Burkholder

Ann Burkholder, Commissioner of Revenue, presented the request from Summit Community Bank for a refund in overpaid bank franchise taxes due to foreclosed properties held by the bank under a different name in the amount of 92, 645.

Councilor Willingham moved to forward the resolution to Council. *The motion was seconded by Vice-President Major then unanimously approved by voice-vote.*

**R-2011-20:** RESOLUTION AUTHORIZING THE APPLICATION FOR FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SECTION 108 LOAN GUARANTEE PROGRAM – Jim Deskins

Jim Deskins, Economic Development Director, presented the request to apply for the CDBG Section 108 Loan Guarantee Program for the Taylor Hotel or the Baker Street Revitalization project.

Vice-President Major moved to forward the resolution to Council. *The motion was seconded by Councilor Veach then approved 7/0 with Councilor Willingham abstaining.*

**R-2011-21: RESOLUTION AUTHORIZING THE ADOPTION OF THE 2011 ANNUAL ACTION PLAN FOR THE USE OF CDBG FUNDS – Jim Deskins**

Mr. Deskins presented the Annual Action Plan for the CDBG funds. He stated a change needs to be made to read “not less than 65% of the total allocation ...” instead of “not more than” in the second paragraph.

Vice-President Major moved to forward the resolution to Council as amended. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

**O-2011-14: AN ORDINANCE TO AMEND ARTICLES 1, 3, 4, 5, 5.1, 6, 7, 8, 9 AND 16.1 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO THE DEFINITIONS OF ACCESSORY STRUCTURE, DOMESTIC EMPLOYEE AND FAMILY, AND CERTAIN CONDITIONAL USE PERMITTING PROVISIONS RELATED THERETO TA-11-06 - Vince Diem**

Vince Diem, Zoning Administrator, presented the ordinance to allow au pairs or caregivers within the zoning ordinance.

Councilor Willingham moved to forward the ordinance to Council. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

**O-2011-13: AN ORDINANCE TO APPROVE AND ADOPT A SPOT BLIGHT ABATEMENT PLAN PURSUANT TO SECTION 6-133 OF THE WINCHESTER CITY CODE, FOR THE STRUCTURE(S) AND PROPERTY LOCATED AT 112 EAST CLIFFORD STREET – Vince Diem**

Mr. Diem brought attention to the monthly report on spot blight and offered to answer any questions on properties included on the list. He then presented the ordinance for spot blight abatement on 112 East Clifford Street and recommended passing the ordinance in order to take ownership of the property through eminent domain.

Vice-President Major moved to forward the ordinance to Council. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

**R-2011-17: Request of Emad Khezam and Ali Tajalli for a conditional use permit for a hookah establishment at 932 Berryville Avenue (Map Number 176-07-3) zoned Highway Commercial (B-2) District. CU-11-76 – Vince Diem**

Mr. Diem presented the request for a conditional use permit for a hookah establishment located at 932 Berryville Avenue.

Councilor Tagnesi moved to forward the request to Council. *The motion was seconded by Vice-President Major then approved 5/3 with President Buettner, Mayor Minor and Councilor Veach voting in the negative.*

**R-2011-18** Request of Network Building & Consulting, LLC on behalf of Verizon Wireless for a conditional use permit for a telecommunications facility at 1955 Valley Avenue (*Map Number 251-01-5*) zoned Limited Industrial (M-1) District. This entails adding cellular panel antennas on the multi-story Virginia Apple Storage warehouse structure CU-11-161. – Tim Youmans

Mr. Youmans presented the request for cellular antennas on the multi-story Virginia Apple Storage warehouse located at 1955 Valley Avenue.

Councilor Willingham moved to forward the request to Council. *The motion was seconded by Vice-President Major then unanimously approved by voice-vote.*

**Winchester Comprehensive Plan** - The Winchester Comprehensive Plan addresses the future of the City of Winchester for its citizens. The Plan is guided by the adopted vision statement of City Council and outlines specific goals and objectives toward the attainment of that vision. –Tim Youmans

Mr. Youmans presented a final draft of the Comprehensive Plan. He stated a detailed presentation was given to the Planning Commission and to the local Tea Party. Staff have included a table of contents in the packet with the entire plan available for review on the City's website or in the Planning Department. Once the plan is adopted, there are specific action plans within the plan that staff will continue to work on.

Councilor Willingham moved to forward the plan to Council. *The motion was seconded by Vice-President Major then unanimously approved by voice-vote.*

### **Report of Liaisons**

Councilor Veach stated the Community Development Committee reviewed the resolutions presented tonight for the CDBG funds. The Laurel Center has risen over \$2 million out of the \$5 million they are working toward.

Councilor Willingham announced the annual meeting of Shenandoah Valley Electric will be May 12<sup>th</sup>.

Councilor Clark stated the Northern Shenandoah Valley Regional Commission has narrowed the list to two candidates for their Executive Director position.

Councilor Tagnesi stated the Planning Commission has been spent a lot of time on the hookah request.

**MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(1) AND A(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER AND FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION.**

Vice-President Major moved to convene into executive session at 6:57 p.m. *The motion was seconded by Councilor Willingham then unanimously approved by voice-vote.*

Councilor Veach moved to reconvene in open session at 8:00 p.m. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

Upon returning, each member certified that only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were discussed during the closed meeting, and that only those public business matters identified in the motion which convened the closed meeting were heard, discussed, or considered during the closed meeting.

*A roll call vote was taken, the ayes and nays being recorded as shown below:*

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
President Buettner	Aye
Councilor Clark	Aye
Councilor Hill	Absent
Vice-President Major	Aye
Vice-Mayor McInturff	Aye
Mayor Minor	Aye
Councilor Tagnesi	Aye
Councilor Veach	Aye
Councilor Willingham	Aye

City Attorney Anthony Williams asked if he should prepare the OTDB revision as a Council requested amendment. President Buettner stated yes.

## **Adjourn**

Councilor Willingham moved to adjourn the meeting at 8:01 p.m. *The motion was seconded by Vice-President Major then unanimously approved by voice-vote.*